

MOTION FOR HARDSHIP CREDIT

FOR HARD TIME SERVED

Now comes defendant Kellie Locke

Respectfully moving said court in the Northern district of
Texas

With a motion for hard time served requesting the court **grant
two days of credit for one day served.**

INTRODUCTION

The defendant being on **"lock-down status"**

an estimated 3105 days in FCI Aliceville. Located in Aliceville, Alabama. Is considered under the constitutional rights for prisoners a hard time detention facility, invoking several protections under the fifth, eight and fourteenth amendments of the United States Constitution.

There are several factors to consider for the motion that are present at FCI Aliceville that can further protections under the fifth, eight and fourteenth amendments and warrant the **two days credit for one day served** by federal inmates at such facility

Factors

- 1- FCI Aliceville is currently operating a communal segregation prison limiting liberty interest afforded to the inmates in general population.
- 2- The access to recreational services is limited to only three times per week and at times less than one hour each time. At times several days can pass without any recreation at all making the facility intolerable.
- 3- Dietary needs of inmates are below federal prison standards and "meals" can be "gruel." Inmates are having to use discolored and brown water from sinks located in the cells to drink due to long lockdown hours which is tolerable for one or two days but cruel and unusual under the eight amendment beyond that.
- 4- The time an inmate in general population spends in her cell can at times be in excess of 22 hours in a single day period, which can amount to solitary confinement and serious and significant deprivation of liberty.
- 5- The lack of movement where an inmate who is not in protection segregation, isolated segregation, administrative segregation or otherwise disciplinary

segregation is subjected to the aforementioned treatment creating a disproportionate punishment to offense.

- 6- Personal hygiene is significantly degraded which depends on the inmate population which is transient in nature to maintain cleanliness of the facility and common illness, which are easily avoidable, can become a problem that the already limited medical staff is unable to suppress before the entirety of the inmates is affected. During normal operations inmates have the opportunity to utilize hair care to cut and maintain our hair but due to the lockdown we have been unable to even cut our hair.
- 7- Medical care is scarce since the beginning of the lockdown due to Covid-19 in March of 2020. It can take months to see medical staff, including dental, medical and mental health doctors. We have not had an optometrist since this lockdown began and many inmates are in need of glasses to see. After applying to see any medical staff during this pandemic and continuously awaiting for a response, if any, confined to your cell up to 22 hours out of a 24 hour day easily depletes your mental health. This situation has created a serious issue for those inmates dealing with depression and anxiety.

Conclusion

Federal court will provide relief for deprivation of prisoner's constitutional rights to be free of cruel and unusual punishment during their lockdown due to Covid-19. When the conditions such as the ones at FCI Aliceville become such that a prisoner is deprived of personal hygiene or their diet is inadequate, the eight and fourteenth amendments are violated. In addition to punishment that is imposed for an improper purpose or disproportionate to the offense can violate prisoner's fifth amendment rights.

The date this lockdown began was March 30, 2020 and is still ongoing.

Prayer

On this 12th day of April 2021, The defendant
Locke, Kellie

prays that the Honorable Judge of said court in the
Northern district of Texas grant the hardship credit
for hard time served and grant the defendant **two days credit**
for one served for the time the inmate (she) has been locked
down in FCI Aliceville due to Covid-19.

Defendant affirms the above is true and correct to the best of
her (my) knowledge.

Respectfully submitted;

Kellie L. Locke

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APR 19 2021

CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

IN THE UNITED STATES COURT OF THE
Northern DISTRICT OF Texas

UNITED STATES OF AMERICA

PLAINTIFF

CASE No: 0539 3:17CR00573-4

V.

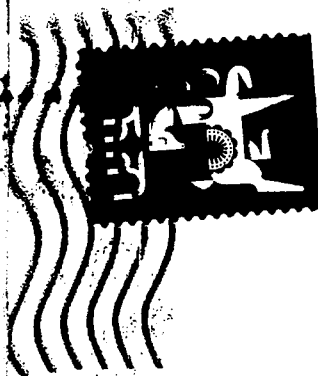
LOCKE, Kellie Lea

DEFENDANT

Kellie Locke #56488177
Federal Correctional Institution
PO Box 4000
Aliceville, AL 35442

BIRMINGHAM AL 350

13 APR 2021 PM 3



Earle Cabell Federal Building
United States Courthouse
1100 Commerce Street Rm # 1452
Tombas PX 75242

APR 19 2021

FBI